SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

EXECUTIVE OFFICER'S REPORT

December 12, 2001

PART A
SAN DIEGO REGION STAFF ACTIVITIES *(Staff Contact)*

1. Personnel Report *(DiAnne Broussard)*

Recruitment

Mike McCann's October recruitment trip netted two viable candidates for the Regional Board staff. We have offered WRCE positions to Benjamin I. Neill, a graduate of the University of Nebraska, and to Anthony Felix, a graduate of Auburn University in Alabama. Both candidates have bachelor of science degrees in Chemical Engineering. Mr. Neill will work in the Southern Watershed Protection Unit. Mr. Felix will work in the Industrial Compliance Unit. We anticipate they will report to work on January 22, 2002.

We plan to complete the interview process for two Senior Water Resource Control Engineers to supervise the Pollutant Load Reduction Program Unit and the Compliance Assurance Unit before the end of December. We are hoping to receive freeze exemptions to allow us to fill both positions.

2. Student Intern Program *(DiAnne Broussard)*

Michael Credelle was hired this month to work in the Information Systems Unit. He is majoring in Information Systems Management at San Diego State University. Former student assistant Kim Ashcraft who is attending school in Arizona will return to work for the Regional Board during the winter semester break.

3. Visitors to the Office *(DiAnne Broussard)*

During the month of November 2001, we received 187 visitors to the Regional Board office. A total of 2231 persons have visited the Regional Board office so far this year. The total number of visitors to the office reached 2,354 for the entire year in 2000.

4. Coastal America Partnership Award *(Pete Michael)*

The San Diego Regional Board will receive an award on December 13th at the Navy's Natural Resources Managers Conference for participating on the Technical Oversight Committee of the San Diego Bay Natural Resources Management Plan. The Management Plan was funded by both the U.S. Navy and Port of San Diego and took approximately three years to complete. The Plan integrates various components including state of the Bay for ecosystem and human uses, monitoring, and implementation strategies. Although the emphasis is on natural resource management for Navy planners, Bay water and sediment quality were considered to have important effects on ecological

and human health. The large report is heavily illustrated and contains descriptions and locations of aquatic resources.

The primary uses of the report will be to give Navy and Port planners background information to allow intelligent development of the bay shore while providing the Navy with a document to be used in place of individual environmental impact statements. This information will be of value to the Regional Board in understanding the relationship between sources of pollutants and protection of Bay beneficial uses. The Management Plan will be updated on a regular basis. Staff member Pete Michael participated on the Technical Oversight Committee.

5. MTBE Groundwater Well Protection Activities in the Temecula Valley *(Barry Pulver)*
On November 15, 2001, staff of the Tank Site Mitigation and Cleanup (TSMC) unit held a Temecula MTBE Plume "All Hands" meeting with responsible parties (RPs), consultants, regulators, and other interested parties. Approximately 20 individuals attended the meeting held in the Board Meeting Room. The meeting provided a forum to discuss recent assessment activities conducted in the Temecula area, new information generated by the ongoing site investigations, and planned actions to be required by the TSMC unit.

The Executive Officer recently issued directives pursuant to Water Code section 13267 to twenty-three gasoline service stations within the City of Temecula to conduct enhanced leak detection tests. The basis for requiring the enhanced leak detection tests was the mounting body of data showing that a very high percentage of releases from underground fuel storage tanks are not discovered by the existing leak detection systems in use at the stations. Enhanced leak detection methods are capable of detecting a leak from a tank system at a rate as low as 0.005 gallons per hour. The information provided from the enhanced leak detection testing will help the Regional Board assess the extent of the MTBE problem in the Temecula area while also providing important information on the performance of tank systems in the area. The tank owners were given the option of conducting the enhanced leak detection test themselves, or volunteering to be part of the State Water Resources Control Board's (SWRCB) Field Based Research Program. If a tank owner volunteers to participate in the Field Based Research Program, the SWRCB will contract and pay for the enhanced leak detection test.

On November 15, 2001 the North County Times published an article titled *State Officials Make Temecula Water a High Priority*. The article described the problems associated with releases of MTBE to groundwater in the Temecula area and the Regional Board's actions to resolve the problem. A copy of the article is attached to this report (A-5).

In November 2001, a Cleanup and Abatement Order was issued to the Former Delta Discount Gas Station located at 28111 Front Street to conduct site assessment and cleanup activities to mitigate a release of petroleum hydrocarbons at the site.

6. Wetlands Recovery Project Symposium *(Bruce Posthumus)*
The Southern California Wetlands Recovery Project (WRP) is a partnership of public agencies, including the SDRWQCB, working cooperatively to acquire, restore, and enhance coastal wetlands and watersheds between Point Conception and the International border with Mexico. The WRP Symposium 2001 was held in Dana Point on November 28-30. Chairman Minan, the Executive Officer, and several staff (Christopher Means, Deborah Woodward, Chiara Clemente, Lesley Dobalian, and Bruce Posthumus) attended.

The symposium included a tour of the Aliso Creek and San Juan Creek watersheds; a poster session; presentations on developing watershed management plans, flora and fauna of southern California coastal wetlands, integrating habitat and water quality improvements in wetlands restoration projects, the WRP information system, urban streams restoration, project monitoring and adaptive management, and exotic plants removal and control in wetlands and riparian habitat; a meeting of the WRP Board of Governors (of which the SDRWQCB chair is a member); and an awards ceremony. A posthumous award was given to Greig Peters, of SDRWQCB staff, for his contributions to wetlands protection and restoration.

Additional information about the WRP is available at http://www.coastalconservancy.ca.gov/scwrp/.

PART B
SIGNIFICANT REGIONAL WATER QUALITY ISSUES

1. Sanitary Sewer Overflows (SSO) *(Victor Vasquez, Adam Laputz, Chiara Clemente, David Hanson, Bryan Ott)*
In November 2001 there were 22 sanitary sewer overflows from public sewage collection systems reported to the Regional Board office; 15 of these spills reached surface waters or storm drains, and two resulted in closure of recreational waters. Of the total number of overflows from public systems, two were 1,000-gallons or more. An additional 11 sewage overflows from private property were also reported in November, of which eight reached surface waters or storm drains. One private property spill was 1,000 gallons or more and two resulted in closure of recreational waters. Regional Board staff has updated the sewer overflow statistics for each sewer agency by fiscal year since FY 1998-99 in the attached table entitled "Sanitary Sewer Overflow Statistics."

Four Notices of Violation (NOV), one with a Request for Technical Information (RTI), were issued in November for several significant overflows that were reported since July. NOVs have been issued to the following agencies:

City of La Mesa
The City of La Mesa reported a 102,240-gallon SSO that occurred on July 11-12, 2001 near State Route 125 at Fletcher Parkway; 2,400 gallons were recovered. The overflow was reported as due to a sewer line blockage caused by construction-related debris. The

overflow discharged to Alvarado storm drain channel, tributary to the San Diego River, and resulted in the closure of recreational waters adjacent to Dog Beach in Ocean Beach.

Padre Dam Municipal Water District
The Padre Dam Municipal Water District reported a 200,000-gallon SSO that occurred on July 6, 2001 at 10000 Fanita Parkway in Santee. The District reported a second overflow of 1,500 gallons at the same location that occurred on July 12, 2001. In both incidents, it was reported that nearly all of the sewage released was recovered. The overflows were caused by gasket failures due to deterioration in a force main.

City of Coronado
The City of Coronado reported a 1,000-gallon SSO that occurred on August 26, 2001 at 1835 Strand Way; 500 gallons were recovered. The overflow discharged to Glorietta Bay and resulted in the closure of recreational waters adjacent to Glorietta Bay Park. The overflow was caused by the failure of an iron force main due to corrosion.

City of San Diego
The City of San Diego reported several significant SSOs during the period July-October 2001. The details regarding these overflows are as follows:

DATE OF SSO	*TOTAL VOLUME (gallons)*	*LOCATION*	*CAUSE OF SSO*	*WATER BODY IMPACTED*	*RECREATIONAL WATERS POSTED AS CONTAMINATED*
07/04/01	16,125	4901 Defiance Way	Rocks in sewer line	San Diego River, Pacific Ocean	Coastal waters at Dog Beach in Ocean Beach
07/06/01	12,500	Conestoga Way & Conestoga Ct.	Rocks in sewer line	Canyon tributary to San Diego River	No posting
08/29/01	3,010	Adair St. and Ebers St.	Rocks and debris entered sewer after water main break	Pacific Ocean	Pacific Ocean near Point Loma Ave.
10/30/01	11,775	3753 India St.	Root blockage in sewer line	San Diego Bay	No posting

2. Total Maximum Daily Load (TMDL) Activities Update *(Alan Monji)*

TMDL Overview
In accordance with Section 303(d) of the Clean Water Act (CWA), the state must identify waterbodies that are not meeting water quality standards based on available pollution controls. The CWA also requires states to establish a priority ranking for waters on the 303(d) list of impaired waters and establish Total Maximum Daily Loads (TMDLs) for such waters.

A TMDL is an action plan for reducing and allocating the loads of a specific pollutant to an impaired water body. TMDLs are developed for the purpose of ensuring that water quality standards are attained and beneficial uses restored. Specifically, a TMDL is (1) a

calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards (i.e., it is a waterbody's total assimilative capacity) and; (2) it is an allocation of that maximum amount amongst all of the contributing point and non-point sources of the pollutants within a watershed (i.e., it is the sum of the allowable loads from all sources). TMDLs are both waterbody and pollutant specific. The TMDL process provides stringent water quality-based controls when technology based controls prove to be inadequate to achieve water quality standards.

The first six tasks in the "development phase" of a TMDL include preparation of the Problem Statement, Numeric Target, Source Analysis, Linkage Analysis, Load Allocations and Wasteload Allocations, and Margin of Safety. Together these elements comprise what is commonly known as a "Technical TMDL". Other considerations in TMDL development include seasonal variations and critical conditions.

- Problem Statement: Describes the water quality standards(s) that are being exceeded, the resulting beneficial use(s) that are impaired, and the nature of the impairment.

- Numeric Targets: Specific quantitative goals, conditions, or endpoints for the water body which equate to attainment of water quality standards and protection of beneficial uses (i.e., numeric targets describe the future desired condition(s) for the waterbody.) Where the applicable water quality standards are expressed in numeric terms, the numeric targets are typically set equal to the numeric water quality standards. Where the water quality standards are expressed in narrative terms, the numeric targets are a "quantitative interpretation" of the narrative standard. Numeric targets are often based on endpoints other than strict avoidance of exceedances. For example a numeric target can describe a required reduction of pollutant loads or a required restoration of a particular habitat condition in quantitative terms. The essential prerequisite for all numeric targets is that they ultimately result in attainment of water quality standards. Numeric targets are not directly enforceable but are used to assess progress towards attainment of standards.

- Source Analysis: Describes all known point, non-point, and background sources of pollutants in the watershed that are contributing to the exceedance of standards and beneficial use impairment (i.e., it is an estimate of the total amount of pollutants entering the receiving water). The source analysis describes the location, magnitude and timing of each pollutant source and provides the key basis for determining the level of pollutant reduction needed to meet water quality standards and the allowable total maximum daily load.

- Linkage Analysis: Describes how the actions to be taken will result in attainment of the relevant water quality standard(s). Specifically, the linkage analysis describes the relationship between the numeric targets and the pollutants by determining the waterbody's total assimilative capacity or loading capacity for the pollutant(s). The linkage analysis represents the critical quantitative link between the TMDL and the

attainment of water quality standards.

- Load and Wasteload Allocations: The load allocation (LA) is the portion of the total maximum daily load allocated collectively to the non-point sources and the natural background sources of the pollutant(s) of concern. The wasteload allocation (WLA) is the portion of the total maximum daily load allocated collectively to the point sources of the pollutant(s) of concern. WLAs can be included in NPDES permits as numeric effluent limitations.

- Margin of Safety: Accounts for the uncertainty in our understanding of the relationship between the pollutant loads and the resulting quality of the receiving waterbody. A Margin of Safety (MOS) must be incorporated into the TMDL for each pollutant and may be explicit (e.g., a specific allocation assigned to the MOS) and/or implicit (e.g., use of conservative assumptions in analysis).

In quantitative terms, a TMDL can be defined as follows:

$$TMDL = WLA + LA + MOS$$

When the development phase is near completion, the "Implementation Planning" phase begins. The Implementation Plan describes best management practices, point source controls or other actions necessary to implement the TMDL. The Plan describes how and when necessary controls / restoration actions will be accomplished, and who is responsible for implementation. Developing a Monitoring Strategy is also part of Implementation Planning. The Monitoring Strategy specifies the monitoring activities needed to assess the effectiveness of the TMDL and includes a schedule for reviewing and (if necessary) revising the TMDL and associated implementation elements. Stakeholder participation is an essential part of TMDL development and implementation.

The draft technical TMDL, Implementation Plan, Monitoring Strategy, and proposed Basin Plan Amendment are subject to independent scientific peer review. Upon responding to peer review comments and making appropriate revisions, the formal public review process begins. This process will culminate in a formal public hearing in which the Regional Board will consider adoption of the Basin Plan Amendment. Incorporation of the regulatory provisions of the TMDL into the Basin Plan is the mechanism that makes the TMDL enforceable and ensures its implementation.

Upon adoption by the Regional Board, the TMDL is subject to approval by the State Board, the Office of Administrative Law (OAL) and USEPA. Only upon approval by USEPA is the TMDL effective. The final phase, "Implementation" by the responsible parties is overseen by the Regional Board.

Additional TMDL information and guidance documents can be found on the World Wide Web. Some useful web sites are listed below. www.EPA.gov/OWOW/tmdl/decisions; www.swrcb.ca.gov/rwqcb9/TMDL/tmdl; www.swrcb.ca.gov/quality.

General Progress on TMDL Projects
Currently, there are seven TMDLs in progress. Two of the seven, Chollas Creek – Diazinon and Rainbow Creek – Nutrients, will be presented to the Regional Board for consideration of adoption this fiscal year, tentatively April 2002.

Chollas Creek - Diazinon *(Linda Pardy)*
The draft technical TMDL has been formally peer reviewed and staff has responded to all peer reviewer comments. Where appropriate, changes were made to the draft technical TMDL to accommodate reviewer concerns. The Implementation and Monitoring Plan has been completed and the entire package is currently undergoing internal management review. Staff also plans to resubmit the revised TMDL package to USEPA and the State Board for informal review.

Staff is working on the final three components of the Chollas Creek TMDL. This includes the Economic Consideration, CEQA checklist, and Basin Plan Amendment.

Rainbow Creek - Nutrients *(Lisa Brown and Alan Monji)*
The draft staff report, including the technical TMDL for nitrogen and phosphorus, Implementation Plan, Monitoring Strategy, and the draft amendment language were submitted to the three scientific peer reviewers on November 20, 2001. The formal scientific peer review is expected to be completed in 45 days. Once comments are received from peer reviewers, formal responses will be made and appropriate revisions will be incorporated.

The remaining three components of the staff report - the economic consideration, CEQA checklist, and resolution - will be completed in December 2001. After the completion of these components and the inclusion of revisions resulting from peer reviewers' comments, the draft staff report will then be released for a 45-day public comment period in mid-January 2002. The Regional Board Hearing for the consideration of the adoption of the TMDL into the Basin Plan is expected in April 2002.

Chollas Creek - Metals *(Lisa Brown and Alan Monji)*
The draft Problem Statement, Numeric Targets, and Source Analysis have been submitted to USEPA for review, and these draft documents are posted on the Regional Board web site. So far, USEPA has only minor comments on these drafts. The Industrial Environmental Association (IEA) has also provided comments on these drafts.

The drafts of the Load Allocations, Linkage Analysis, and Margin of Safety are complete and have been reviewed by Regional Board staff. However, these drafts are under revision since new data were collected in Chollas Creek after the original drafts were completed, and the data may alter load allocations and source estimates. These revisions will be made as soon as possible so that the drafts can be forwarded to USEPA for

review. The Chollas Creek draft revisions are on hold while staff focuses attention on completing the Rainbow Creek TMDL. The drafts should be revised by January 2002.

Shelter Island Yacht Basin - Dissolved Copper *(Lesley Dobalian and Christina Arias)*
The draft technical TMDL is complete and is posted on the Regional Board web site. The Implementation and Monitoring Plan (Plan) is nearing completion, and is undergoing internal review. A copy of the draft Plan should be posted on the web site in late December. Staff is in the process of arranging for peer review of the final draft. Staff is also compiling and organizing the administrative record.

San Diego Bay / Near Chollas Creek – Contaminated Sediment *(Alan Monji and Lisa Brown)*
The mouth of Chollas Creek is one of the five designated hotspots in San Diego Bay identified by the Bay Protection and Toxic Cleanup Program (BPTCP). Work has begun on the draft Problem Statement and Numeric Targets for Near Chollas Creek TMDL. Currently, background information and site assessment reports for San Diego Bay are under review. Rough draft versions of the Problem Statement and Numeric Targets have been submitted to selected in-house staff for review and comment.

At a meeting held on June 5, 2001 with representatives from U.S. Navy, Port of San Diego, City of San Diego, Southern California Coastal Waters Research Project (SCCWRP), and the Regional Board staff, consensus was reached on the final draft work plan for the mouth of Chollas Creek and Seventh Street channel. The work plan was presented to the public at the Sediment Remediation Workshop on August 3, 2001.

Sampling activities for the mouth and channel of Chollas Creek occurred on July 17-18, 2001. Sediment samples were collected for toxicity testing, bioaccumulation testing, sediment chemistry, and benthic community studies. The toxicity testing portion has been completed by SCCWRP. Data analysis and draft report is in progress. Work continues on the bioaccumulation tests, sediment chemistry, and benthic community analysis.

San Diego Bay / Seventh Street Channel – Contaminated Sediment *(Tom Alo and Brennan Ott)*
The mouth of Paleta Creek/Seventh Street Channel is one of the five designated hotspots in San Diego Bay identified by the BPTCP. Work has begun on the draft Problem Statement and Numeric Targets for Seventh Street Channel TMDL. Currently, background information and site assessment reports for San Diego Bay are under review. Rough draft versions of the Problem Statement and Numeric Targets have been submitted to selected in-house staff for review and comment.

At a meeting held on June 5, 2001 with representatives from U.S. Navy, Port of San Diego, City of San Diego, SCCWRP, and the Regional Board, consensus was reached on the final draft work plan for the mouth of Chollas Creek and Seventh Street channel. The work plan was presented to the public at the Sediment Remediation Workshop on August 3, 2001.

Sampling activities for the Seventh Street Channel/Paleta Creek hotspot area occurred on August 27-28, 2001. Sediment samples were collected for toxicity testing, bioaccumulation testing, sediment chemistry, and benthic community studies. The toxicity testing portion has been completed by SCCWRP. Data analysis and draft report is in progress. Work continues on the bioaccumulation tests, sediment chemistry, and benthic community analysis.

Mission Bay – Bacteria *(Christina Arias and Lesley Dobalian)*
The Mission Bay TMDL for coliform is the first TMDL currently underway in the Region to address elevated indicator bacterial levels. Staff has been reviewing information and data pertinent to this project. Staff is also currently working with the City of San Diego and contributing research groups to develop a workplan and implementation schedule for research projects relevant to the Mission Bay TMDL.

The City of San Diego has submitted a Clean Beach Initiative proposal to State Board to fund a Mission Bay Bacteria Source Identification project. The project will help to identify sources of bacterial contamination to Mission Bay. Staff reviewed the proposal and has submitted comments in support of funding to State Board.

3. Clean Water Act Section 401 Water Quality Certifications Issued in November 2001
(*Stacey Baczkowski*)

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	CERTIFICATION ACTION
11/2/01	City of Escondido	Rincon and Wohlford Penstocks Replacement Project	Replacement of the Rincon and Wohlford penstocks, two structurally degraded water pipelines connecting to hydroelectric facilities.	Withdrawn
11/6/01	Richland Pinehurst, L.P.	Crown Valley Village	Proposed project plans to fill 2,050 linear feet of stream A, a tributary to Tucalota Creek for the division of 166-acres into 421 single family residential lots with a minimum lot size of 7,200 sq ft.	Technically-Conditioned
11/6/01	Hidden Meadows, LLC	Hidden Meadows Oak Woodlands and Island Residential	At Oak Woodlands, construction of 72 residential units with associated infrastructure. At Island Residential, construction of 131 residential units.	Technically-Conditioned

11/6/01	San Diego Gas and Electric	Talega Substation Concrete Drainage Ditch Repair	Repair of concrete channel and bank stabilization.	Standard
11/6/01	Nancy O'Neal	Sea Cave Infill - 367 Pacific Ave.	Infill of an existing seacave at the base of the coastal bluff with a colored and textured concrete/rock mixture.	Standard
11/6/01	John Cumming	Sea Cave Infill - 367 Pacific Ave.	Infill of an existing seacave at the base of the coastal bluff with a colored and textured concrete/rock mixture.	Standard
11/9/01	Morrison Family Trust	Morrison Family Trust Flood Control Project	Repair and replace flood control protection in order to sell property	Technically-conditioned
11/14/01	City of San Diego Water And Wastewater Facilities Division	Manning Street Accelerated Sewer Main Replacement Project	To repair an approximate 14 ft section of exposed PVC sewer line by replacing it with a ductile iron sewer main. Iron main will require two concrete piers and riprap to protect the piers	Technically-conditioned
11/21/01	Pacific Communities Builder, Inc.	Revised Tentative Tract 25362	Development of a residential community comprised of 230 single family lots with associated roads and infrastructure and one open space lot.	Technically-conditioned
11/21/01	City of Vista	Lowe's Home Improvement Center Project	Construction of a 160,273 sq. ft. Lowe's Home Improvement Center	Technically-conditioned

Public notification of pending 401 Water Quality Certification applications can be found on our web site at http://www.swrcb.ca.gov/rwqcb9/Programs/Special_Programs/401_Certification/401_certification.html.

4. Border Program Activities *(Claudia Villacorta)*

IBWC South Bay Citizens' Forum (SBCF)

On November 27th, State and Regional Board staff attended the first public meeting of the South Bay Citizens' Forum (SBCF) in San Ysidro, CA. IBWC is undertaking the development of the SBCF in order to facilitate communication between the IBWC and the general public, environmentalists and other entities regarding ongoing and future

IBWC projects and activities in this region. The SBCF board will consist of approximately 10-12 members and will meet four times a year to discuss plans and issues related to IBWC projects. Applications were available for those interested in becoming board members. IBWC will give priority to citizens/residents that live in the area and are directly impacted by IBWC activities.

Tijuana River Diversion Study and Canyon Improvement Projects
At the meeting, IBWC also discussed several proposed projects. Of particular interest is the Tijuana River Diversion Study. This project proposes the design, construction and O&M of a new gaging facility and Tijuana River trash diversion structure in the US. The new gaging facility will be placed on the concrete-lined portion of the Tijuana River and will be able to measure flows up to 135,000 cfs. Three alternatives will be considered for the trash diversion structure. These include a self cleaning bar screen, debris basins, and mechanical bar screens. The diversion structure will supplement the existing Mexican structure and will be capable of selectively diverting flows of up to 30MGD. Flows could be sent to the SBIWTP, the Tijuana collection system or back to the river. The main purpose of the structure is to remove trash/debris before it is washed into the Tijuana Estuary.

Preliminary construction costs for these projects range between $1.6M-$4.85M depending on the diversion structure alternative selected. O&M costs will range between $150,000-$400,000 per year. The preliminary study report and design will be completed in approximately nine months.

IBWC also discussed future improvement projects at Goat Canyon and Smuggler's Gulch. IBWC is coordinating with the IBWC-Mexican Section to construct a sedimentation basin in Mexico at Smuggler's Gulch. IBWC is also looking into increasing the silt/sediment capacity of the existing sedimentation basins in Goat Canyon and Smuggler's Gulch (possibly concrete structures). Regional Board staff plans to review the preliminary workplan for the proposed improvement projects.

Secondary Treatment Discussion
During the meeting, the IBWC Commissioner Carlos Ramirez spoke about the status of secondary treatment at the SBIWTP. Mr. Ramirez stated that IBWC is not opposed to Bajagua project. He stated that IBWC has no authorization to negotiate with Mexico to implement the Bajagua proposal. Mr. Ramirez also stated no funding is available to proceed with this proposal.

Surfrider Foundation representatives expressed their opposition to the Commissioner's recent position in support of activated sludge as a secondary treatment alternative at the SBIWTP. They stated that they had filed and settled a lawsuit against IBWC regarding the consideration of completely mixed aeration ponds in addition to activated sludge in the Record of Decision.

Funding for Assistance to Tijuana and Tecate

In June of this year, the San Diego Regional Water Board passed a resolution requesting state funds to assist the cities of Tijuana and Tecate, Mexico with the implementation of an industrial waste monitoring and pretreatment program. The State Water Board has approved the Regional Board's request and General Fund monies in the amount of $697,000 were encumbered. A final contract was submitted to the selected contractor (City of San Diego) on December 3, 2001. The City of San Diego will provide sample collection, analytical and training services to Baja California personnel. Regional and State Board staff will meet with representatives from the State Commission for Public Services of Tijuana and Tecate (CESPT and CESPTe) to discuss an implementation plan and schedule a kickoff meeting.

5. Status of Cleanup At The Former Schutte & Koerting Inc. (Formerly Ketema Inc.) and Ametek Inc. Manufacturing Facility at 790 Greenfield Drive, El Cajon ***(Laurie Walsh)***
Ketema (formerly Ametek, now known as Schutte & Koerting) owned and operated an aerospace manufacturing facility at 790 Greenfield Drive in El Cajon until it was sold to the current owner, Senior Flexonics. Ametek discharged spent chlorinated solvents to a redwood circular sump from which solvents were deposited in soil and discharged to ground water causing conditions of pollution and the threat of continued pollution/contamination. Between 1998 and the present, Ametek & Ketema have, under the direction of the Regional Board investigated the scope and extent of ground water contamination associated with the discharge from the Ametek/Ketema operations. Solvents from Ametek/Ketema have migrated more than a mile downgradient, spread a ¼ mile wide and approximately 10 feet deep.

When Ketema sold its manufacturing facility to Senior Flexonics in 1998/99, Ketema represented to the Regional Board that Ketema would complete the ongoing investigation and follow up with any cleanup and abatement required by the Regional Board. Ketema has long advocated establishment of a "containment zone" within which the waste solvents discharged from its facility would be allowed to decompose over time through natural biochemical processes. However, as a result of the investigation undertaken by Ketema, the Regional Board concluded in June, 2001, that the situation at the Ketema site did not qualify for the establishment of a containment zone and required Ketema (now Schutte and Koerting (S&K)) and Ametek to submit a work plan for active rather than passive cleanup of ground water contaminated with chlorinated solvent waste (Addendum No. 3 to CAO No 98-11). S&K and Ametek filed joint petitions for review of Addendum No. 3 to CAO 98-11 by the State Water Resources Control Board (SWRCB).

The SWRCB dismissed S&K and Ametek's petition for review of the Regional Board's decision to adopt Addendum No. 3 to Cleanup and Abatement Order No. 98-11 (OCC File No. A-1310) on the grounds that it did not raise substantial issue suitable for review by the SWRCB. On August 8, 2001 S&K and Ametek filed a joint petition with San Diego Superior Court for review of the Regional Board's decision to adopt Addendum No. 3 to CAO 98-11. Mr. David Robinson, Deputy AG is representing the Regional Board in this matter.

Status of ground water remediation
No active ground water remediation has occurred to date. The work plan submitted by S&K and Ametek was inadequate, as reflected in Notice of Violation 2000-202 (NOV 2000-202). In response to NOV 2000-202 S&K and Ametek submitted an amended work plan. During review of the work plan amendment, Luce Forward Hamilton, & Scripps (counsel for S&K and Ametek) requested a letter from the Regional Board documenting S&K's and Ametek's full compliance with CAO 98-11, as amended. By letter dated September 21, 2001 Regional Board informed S&K and Ametek that, inasmuch as S&K and Ametek have not met the requirements of CAO No. 98-11, as amended, S&K and Ametek are not in compliance with CAO 98-11.

6. Aliso Creek Watershed Study Feasibility Report (*Jeremy Haas)*
On November 13, 2001 the County of Orange submitted for comment a draft copy of the Aliso Creek Watershed Management Study Feasibility Phase Report and Aliso Creek Watershed Management Plan, which were prepared by the U.S. Army Corps of Engineers. On December 5, 2001 staff attended a Watershed Study Team meeting during which the Corps and County discussed the Feasibility Report and established a January 7, 2002 deadline for comments. Staff has participated in regular meetings of the Watershed Study Team, which has provided limited guidance to the Corps during the development of the Study and recommended management actions. The Report and the Management Plan's 13 recommendations are important because they will provide guidance to municipalities in the Watershed on how to mitigate water quality problems associated with the discharge of urban runoff. Although the Management Plan states the principal importance of pollution prevention and source reduction, cost estimates for the two pollution prevention recommendations are not provided to the same extent as estimates for restoration activities, and it is unclear whether the Corps will be able to provide financial assistance for the pollution prevention recommendations. Because municipalities have previously indicated that the Corps' recommendations would be used to prepare water quality program budgets, staff expressed concerns at the December 5 meeting that municipalities may subsequently have an incentive to pursue the restoration recommendations at the expense of pollution prevention and source reduction activities. Staff will review and submit comments on both the Feasibility Report and the Management Plan.

7. Warm Springs Creek Restoration *(Deborah Woodward)*
The Executive Officer has entered into an agreement to fund the Riverside Land Conservancy (RLC) to conduct a feasibility study for the restoration of a small section of Warm Springs Creek, which drains the Temecula-Murrieta area in Southern Riverside County and feeds into Murrieta Creek. The source of the funds is an escrow account established by the Regional Board in 1999 for restoration of the channelized section of Warm Springs Creek. The account is held by the Mission Resources Conservation District and contains $269,875 from developers who paid into it as part of their 401 Certification mitigation. The account was established in response to a project that resulted in this first channelized section along the creek. The section is about 1500 feet long with concrete side walls and is located upstream from the confluence, west of

Interstate 15 between Jefferson Avenue and Adams Avenue. The concrete channel diminishes the capacity of the creek to naturally attenuate pollutants in runoff and severely constricts the movement of wildlife. Furthermore, the existing concrete channel will encourage other landowners along Warm Springs Creek to propose extension of the concrete channel as part of their development plans.

The Riverside Land Conservancy reports that seven landowners and 10 land parcels along the creek are adjacent to the channel. Only one parcel is for sale - the others are in various stages of planned commercial development. The RLC will be exploring various options involving land trades and lot-line adjustments to see whether the creek-side strip of property can be purchased.
The desired restoration would entail purchasing a strip of land along the channelized section of the creek's southern edge to provide a buffer, preferably at least 75 feet wide, between the creek and the bordering businesses. Removing the concrete, reshaping the bank, and establishing riparian vegetation along that south side would complete the restoration. The concrete on the north would remain so the restoration will be somewhat one-sided but, if properly designed, will restore the wildlife beneficial uses and provide superior flood control.

The necessary property will cost about $650,000. We are encouraging the RLC to apply for Federal Grants to supplement the funds in our mitigation account.

8. USMC Camp Pendleton Receives Notices of Intent *(Chiara Clemente)*
On November 17, 2001, a group of environmental organizations (San Diego BayKeeper, American Canoe Association, Surfrider Foundation, and Divers Against Pollution) issued a Notice of Intent (NOI) to sue to the United States Marine Corps Base (base) Camp Pendleton (Secretary of Defense, Department of Defense, Secretary of the Navy, Department of the Navy, Commandant of the Marine Corps, the Marine Corps, and the USMC base itself), pursuant to Section 505 of the Clean Water Act.

The environmental organizations allege that the Base is in violation of Regional Board Order Nos. 99-55, 99-56, 99-57, 99-58, and 99-59 (NPDES Permit Nos. CA0108961, CA0108979, CA0108987, CA0108995, and CA0109002, respectively) for effluent discharge, monitoring and reporting, and Sanitary Sewer Overflow (SSO) requirements.

The environmental organizations intend to file a civil suit in federal court upon expiration of the 60-day notice period. The Base has 30 days to contact the environmental organizations in order to engage in discussions concerning ways to remedy the alleged violations.

9. Ramona Unified School District Proposed Elementary School Project *(Mo. Lahsaie).*
During the Public Forum at the October 24, 2001 Regional Board meeting 3 residents from Ramona representing the Neighborhood Alliance commented on the potential water quality impacts that may result from the Ramona Unified School District acquisition of land in Ramona for a proposed elementary school project near Boundary Avenue. The

three speakers requested that the Board look into the possibility of impacts to water quality from the project.

The Neighborhood Alliance representatives expressed the three following concerns: a) The Mitigated Negative Declaration dated October 2000, which was prepared by Ramona Unified School District does not adequately address all the environmental impacts, b) The proposed project will have potential impacts to streams and violates Clean Water Act 401 Certification process, and c) There will be a potential discharge to groundwater from the proposed septic system.

On November 9, 2001, staff visited the site and met with the representatives of the Neighborhood Alliance. Staff also contacted the Ramona Unified School District Business Manager, Dr. Michael McCarty, and the County of San Diego Department of Environmental Health Land Use Division supervisor Mr. Frank Gabrian.

Based on site investigation and review of the Mitigated Negative Declaration, staff found that the Mitigated Negative Declaration addresses only the north end of the property and, it adequately assesses the environmental impacts in this area. The area to the south of the property has water quality issues including impacts to surface and groundwater. The School district is committed to prepare an environmental assessment for this portion of the property prior to any development. If the district were to pursue any development or changes in the subject site it will connect to the public sewer system currently available in the vicinity area rather than using a septic system (attachment B-9 is a copy of the Ramona Unified School District letter dated November 14, 2001 and signed by Dr. McCarty).

A copy of the Ramona Unified School District correspondence to the RWQCB was faxed to the Neighborhood Alliance representative, Mr. Greg Tsiknas.

Based on staff investigation, there are no unresolved water quality problems at this time. This completes our investigation until such a time that the Ramona Unified School District submits for our review the CWA 401 Certification application for their proposed project.

10. Confined Animal Feeding Operations (CAFOs)-Interagency Meeting *(Mo. Lahsaie)*
In November 2001, we updated the Regional Board on the Region's efforts for reducing water quality impacts from confined animal feeding operations. This effort will include conducting a region wide workshop with participating agencies to inform the CAFOs industry of their regulatory obligations. University of California-Cooperative Extension Poultry Science Advisor, in cooperation with staff of the Regional Board, has scheduled the workshop for December 11, 2001. The workshop will be held from 9AM-12 Noon at the San Diego County Farm Bureau in Escondido, CA (a copy of workshop announcement is enclosed).

Additionally, within the past 2 months, staff has responded to at least three formal complaints, two in connection with manure stockpiling at poultry ranches and one in connection with a proposed hog farm operation in the Ramona area (a copy of a newspaper article is enclosed). In all three cases, staff has conducted site investigations in response to such discharges and has identified unauthorized or potential discharges. We have directed the facility operators to take immediate action (attachment B-10 are copies of the Regional Board letters). Staff will monitor these cases and will determine if additional regulatory oversight is needed.

11. *Caulerpa taxifolia* Response Activities *(Chiara Clemente)*

Eradication Update

In October 2001, contracted divers completed quarterly follow-up surveys in Agua Hedionda Lagoon (AHL), marking one year since the first surveys were performed there in response to the discovery of *Caulerpa taxifolia*. No *Caulerpa taxifolia* was found in the middle or western basins of the lagoon. However, new patches, continue to be found in the eastern basin. Each time a patch is found, the area is immediately contained under a tarp and treated with chlorine to kill the *Caulerpa taxifolia*.

Surveillance

Surveys for *Caulerpa taxifolia* continue throughout susceptible areas of the southern California coast. Recent surveys (November 2001) of Ventura Harbor, Channel Islands Harbor, Santa Barbara Harbor, King Harbor, and a portion of the area outside the mouth of AHL have not found *Caulerpa taxifolia*.

Funding

At its November 15 meeting, the SWRCB adopted Resolution No. 2001-309, granting the City of Carlsbad's request for $700,000 from the Cleanup and Abatement Account to be used for *Caulerpa taxifolia* eradication in AHL. Additional funds are being sought.

In conjunction with SCCAT, staff is also currently developing a contract for the $600,000 of Clean Water Act Section 319(h) (Nonpoint Source Program) funds obtained to develop *Caulerpa taxifolia* eradication methods for infestations in open coastal environments.

Southern California *Caulerpa* Action Team (SCCAT)

Staff continues to participate in and chair the SCCAT meetings. SCCAT meetings were held on October 24 and December 4, 2001. The SCCAT steering committee consists of representatives from the San Diego and Santa Ana Regional Water Quality Control Boards, California Department of Fish and Game, US Department of Agriculture, and National Marine Fisheries Service.

Outreach

In November, staff provided *Caulerpa taxifolia* information and outreach materials at the California Coastal Coalition's "Restoring the Beach" conference, and the Southern California Wetlands Recovery Project symposium. The objective was to increase

awareness of the threat that *Caulerpa taxifolia* poses and the need for adequate funding to conduct the necessary surveillance, eradication, prevention, and research activities.

On November 13, SCCAT agency representatives, including SDRWQCB staff, went before the Carlsbad City Council to request that the City temporarily close access in the lagoon to recreational activity in order to ensure diver safety, facilitate survey and eradication efforts, and minimize the potential for spread of *Caulerpa taxifolia*. At the request of the City Council, the SCCAT steering committee held a public workshop in Carlsbad on December 5, 2001. The well-attended workshop was directed to AHL recreational users. A follow-up workshop is scheduled for December 11, 2001.

PART C
STATEWIDE ISSUES OF IMPORTANCE TO THE SAN DIEGO REGION

1. TMDLs are Highest Statewide Priority *(Deborah Jayne)*

At the November 6, 2001 Management Coordinating Committee meeting, it was agreed that development and implementation of TMDLs would be the top priority for the State and Regional Boards for FY 2001/02. By memo dated November 20, 2001, Celeste Cantu, Executive Director of the State Board, described what it means to establish TMDLs as the top statewide priority:

- There will be no redirection from TMDL resources.

- If a vacancy occurs within a TMDL program, the organization will make every effort to fill the vacancy or take other appropriate steps to complete the work. If necessary, the organization will move qualified staff from other programs into the TMDL vacancy.

- If, due to extraordinary circumstances, there is no staff person qualified to fill the TMDL vacancy, the State Board Executive Office will consider requesting an exemption from the hiring freeze.

The November 20, 2001 memo, which is attached for your review (C-1), also indicates that a management workgroup will be established to develop a process for long-term prioritization including flexibility for Regional Board priorities.

In this Region, TMDL development is conducted by staff in both the Water Quality Standards Unit and the Pollutant Load Reduction Program Unit. Both units are currently supervised by a single supervisor. The units have suffered a loss of three line staff in recent months. One of these three line staff vacancies has been converted into a supervisory position for the Pollutant Load Reduction Program Unit.

Our current priority is to fill the supervisory position for the Pollutant Load Reduction Program Unit. We are currently completing the interview selection process for this

position. In light of the recent statewide hiring freeze, we plan to submit a request for a Hiring Freeze Exemption to the State Board.

The TMDL program in San Diego is in its infancy. We have been in a recruitment mode during the past 1.5 years to fill TMDL line staff vacancies. Seven of the eight existing line staff members are new to the Regional Board (approximately 2 years or less). There are currently seven TMDLs under development and 27 total to be complete within 13 years based on the 1998 Clean Water Act Section 303(d) List of Impaired Waters. Upon approval by USEPA of the 2002 update to the Section 303(d) list, many additional TMDLs will need to be developed. All TMDLs must be completed within 13 years.

TMDL development is only part of the work priorities for which the two units are responsible. Other major priorities include:

- Water Quality Assessment – Section 303(d) list of impaired waters and Section 305(b) inventory and status of all Region waters
- Triennial Review of Basin Plan
- Basin Plan Amendment activities (general basin planning activities have been on hold for approximately two years)
- Contaminated sediment remediation projects adjacent to shipyards in San Diego Bay
- Contaminated sediment remediation of Toxic Hot Spots in San Diego Bay
- Surface Water Ambient Monitoring Program management (to be transferred to units)
- RWQCB lab contract management and QA/QC management
- Caulerpa eradication effort

The combination of the lack of a supervisor for one of the units and competing work priorities has resulted in TMDL development delays. We are currently behind our projected TMDL development completion schedule.

2. Clean Water Act Section 303(d) List of Impaired Waters – 2002 Update *(James Smith)*
On October 24, 2001 the draft Section 303(d) list of impaired waters was posted on the Regional Board website for public review. Notice of the list's availability was mailed to the agenda mailing list and sent electronically to the e-mail lists of interested parties. The draft list was also presented at the October 24 Board Meeting as an informational item. No formal action was expected or taken. A revised draft list and Staff Report, incorporating all comments made by board members and the public on October 24, was submitted to the State Board on October 31, 2001. The revised list was also posted on the website.

As requested by board member Black, staff prepared a press release and an additional (third) notice of the draft list to the regulated community designed specifically to draw their attention to the release of the list and its potential implications. Staff contacted Mr. Chris Crompton of the County of Orange directly to point out the proposed listing of Dana Point Harbor for dissolved copper. Additionally a story on the draft list aired on

channel 10 news on October 30, 2001 and was covered in a Union Tribune article on November 7, 2001.

The posting of the draft Section 303(d) list on the website began the informal local public review process. A public workshop, originally scheduled for November 29, was held December 5, 2001. Over 60 members of the public attended this meeting. Any changes to the list resulting from public comments and continued Regional Board scrutiny will be forwarded to the State Board and will be presented at a future Regional Board meeting. The opportunity to make changes will continue through the formal public review process that will be conducted by the State Board and is expected to begin this winter. State Board will initiate the formal public review process and will be conducting the formal public workshop(s), public hearing(s) and will adopt a single, statewide list of impaired waters for submittal to USEPA.

3. San Diego Municipal Storm Water Permit Update *(Phil Hammer)*
On November 15, 2001, the State Water Resources Control Board (SWRCB) adopted Order WQ 2001-15 (Attachment C-3) regarding the Building Industry Association and Western States Petroleum Association petitions of the San Diego Municipal Storm Water Permit (Permit). The order dismissed the majority of the petitions' arguments and largely upheld the requirements of the Permit. The order is not anticipated by staff to significantly impact implementation of the Permit. Changes to the Permit made by the order typically provide clarification to the Permit, as opposed to significantly changing the requirements or intent of the Permit.

Essentially, the order makes four changes to the Permit (see AttachmentC-3, final page). The first change, deletion of the words "into and" from Prohibition A.3, provides that pollutant discharges into the storm water conveyance system do not need to be reduced to the maximum extent practicable standard **in all cases**. Instead, pollutant discharges must always meet the maximum extent practicable standard at the point of discharge from the storm water conveyance system. However, it is important to note that all other Permit requirements regarding regulation of discharges into the storm water conveyance system remain in effect. The implementation of the Permit is therefore little changed; only the point of ultimate compliance has been altered.

The order's second change clarifies that the "iterative BMP implementation process," which the Copermittees use to return to compliance with water quality standards, applies to all permit provisions which require that storm water conveyance system discharges do not cause or contribute to violations of water quality standards. This change is a clarification, in that the Permit originally contained various similar water quality standard requirements that were not all couched with the "iterative BMP implementation process" language. In a related matter, it is worth pointing out that the order preserved the SDRWQCB's discretion to enforce against violations of water quality standards, even if the "iterative BMP process" is being implemented. This issue was strongly contested by the petitioners during the SWRCB workshop and hearing on the order.

The third change to the Permit addresses the Permit's designation of urban runoff as a waste. The order finds that urban runoff itself is not a waste, but rather that it contains waste. Since the order states that it is undisputed that urban runoff contains waste, this change does not appear to impact implementation of the Permit. Urban runoff must be addressed in the same manner, regardless of whether it is a waste in and of itself or if it merely contains waste.

The fourth change to the Permit removed retail gasoline outlets from meeting the Permit's Standard Urban Storm Water Mitigation Plan (SUSMP) requirements. The SWRCB found that the SDRWQCB did not adequately address previous SWRCB concerns regarding the application of the SUSMP requirements to retail gasoline outlets. However, if the SDRWQCB develops adequate justification in the future, the order states that the SDRWQCB may reconsider requiring retail gasoline outlets to meet the SUSMP requirements.